

REMARKS/ARGUMENTS

Favorable reconsideration and allowance of the present patent application are respectfully requested in view of the foregoing amendments and the following remarks. Claims 1, 13, 14, 17, 18, 30, 31, 34, 42, 48-50, 53, 54, 57-59, 62 and 63 have been amended. Claims 1-66 are pending in the application.

Allowable Subject Matter

Applicants note with appreciation the indication on page 12 of the Office Action that claims 14-17, 31-34, 42-44, 50-56 and 59-65 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As discussed in greater detail below, Applicants have amended the claims in a manner believed to be consistent with the allowed subject matter.

35 U.S.C. §103 Rejections

Claims 1, 5-11, 18, 22-28, 36-37, 38-41, 46, 48 and 57 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Treatch (U.S. 5,697,052) in view of Lusky et al. (U.S. 7,315,573). Claims 2 and 19 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Treatch in view of Lusky, and further in view of Sumi (US 4,081,752). Claims 3-4 and 20-21 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Treatch in view of Lusky, and further in view of Peterson (US 6,574,198). Claims 13, 30 49 and 58 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Treatch in view of Lusky, and further in view of Leslie et al. (U.S. Patent No. 6,404,755). Claims 35-36 and 47 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Treatch in view of Lusky, and further in view of Irving et al. (U.S. 6,163,276). Claim 66 was rejected under

35 U.S.C. §103(a) as allegedly being unpatentable over Treatch in view of Lusky, and further in view of Rog et al. (U.S. 6,441,781). Applicants respectfully traverse each of these rejections for at least the following reasons.

Applicants have amended claim 1 to incorporate features which are related to the subject matter recited in claims 14 and claims 17. Because the Examiner has indicated that both claims 14 and 17 are directed to allowable subject matter, Applicants submit that claim 1 is now in condition for allowance. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claim 1.

Independent claims 18, 48 and 57 have also been amended to incorporate subject matter from their respective dependent claims which was indicated as being allowable by the Examiner. According, they are now in condition for allowance.

Allowable claims 42, 54 and 63 have been rewritten into independent form to include all of the features from their respective independent claims. Accordingly, claims 42, 54 and 63 are now in condition for allowance.

Accordingly, the claims depending from independent claims 1, 18, 42, 48, 54, 57 and 63 are also allowable by virtue of their dependency. Applicants respectfully request that the Examiner withdraw the rejections of these claims.

CONCLUSION

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue, or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

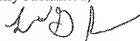
Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026. If a fee is required for an extension of time under 37 CFR 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Dated: _____

9/4/09

Respectfully submitted,

By: _____



Linda G. Gunderson
Reg. No. 46,341
Attorney for Applicant

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 651-7351
Facsimile: (858) 658-2502